

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

936 BAIL APPLICATION NO.581 OF 2023

SAURABH GORAKH HAKE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Ms. Ashwini A. Lomte h/f Mr. Salunke
Sudarshan J.
APP for Respondent-State : Mr. S. B. Narwade.

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CORAM : S. G. MEHARE, J.
DATE : 11.04.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail in Crime No.348 of 2022, registered with Police Station Washi, District. Osmanabad, for the offences punishable under Section 376, 376(D), 201, 506 read with Section 34 of the IPC and Section 67 of the Information Technology Act, 2000.
3. Perused the papers. In the First Information Report and the supplementary statement, the applicant was not named. The complainant named the applicant first time in her statement under Section 164 of the Cr.P.C., which was recorded on 05.01.2023. Thereafter, her statement under Section 161 of

the Cr.P.C. was also recorded. In both statements, there is a notable variance. In her statement under Section 164 of the Cri.P.C., she did not make any specific allegations. However, she has improved her version in her statement under Section 161 of the Cr.P.C. Her statement raises doubt about the involvement of the applicant. Nothing is to be recovered from the applicant. The charge sheet has been filed. In the facts and circumstances of the case, the applicant deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SAURABH GORAKH HAKE** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.348 of 2022, registered with Police Station Washi, District. Osmanabad, for the offences punishable under Section 376, 376(D), 201, 506 read with Section 34 of the IPC and Section 67 of the Information Technology Act, 2000, on the following conditions :

- (a) The applicant shall not contact the victim till the conclusion of the trial.
- (b) He shall not tamper with the prosecution witnesses.
- (c) He shall attend the trial on each and every effective date.

(S. G. MEHARE, J.)

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vmk/-